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**11 Attorneys for Defendants
CONSECO, INC. and CONSECO LIFE INSURANCE COMPANY**

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

16 CEDRIC BRADY, DR. CHARLES) CASE NO.: 3:08-CV-05746-EMC
17 HOVDEN, MARION HOVDEN, DR.)
18 EUGENE KREPS, DR. JOHN McNAMARA,) STIPULATION EXTENDING TIME TO
19 DR. HISAJI SAKAI, and JEAN SAKAI,) ANSWER, MOVE, OR OTHERWISE
20 Individually and On Behalf Of All Others) RESPOND TO THE COMPLAINT
21 Similarly Situated,) ORDER
22 Plaintiffs,)
23 v.)
24 CONSECO, INC. and CONSECO LIFE)
25 INSURANCE COMPANY,)
26 Defendants.)

1 WHEREAS on December 24, 2008, plaintiffs Cedric Brady, Dr. Charles Hovden,
2 Marion Hovden, Dr. Eugene Kreps, Dr. John McNamara, Dr. Hisaji Sakai, and Jean Sakai (the
3 "Plaintiffs") filed a Complaint against defendants Conseco, Inc. and Conseco Life Insurance
4 Company (the "Defendants"), in the San Francisco Division of the United States District Court for
5 the Northern District of California (the "Complaint");

6 WHEREAS on January 9, 2009, plaintiffs served a summons and Complaint on
7 each of the Defendants;

8 WHEREAS, by the terms of the summons the Defendants would have twenty (20)
9 days from January 9, 2009, by which to answer, move, or otherwise respond to the Complaint,
10 making their answer, motion, or other response due on or before January 29, 2009;

11 WHEREAS Defendants requested and Plaintiffs agreed to extend the time in which
12 Defendants shall be required to answer, move or otherwise respond to the Complaint to February
13 20, 2009;

14 IT IS THEREFORE STIPULATED AND AGREED, by and between the
15 undersigned, that Defendants shall have to and including February 20, 2009, within which to
16 answer, move, or otherwise respond to the Complaint.

17 DATED: January 29, 2009 Millstein & Associates

By: /s/ David J. Millstein
David J. Millstein
Attorneys for Plaintiffs

21 | DATED: January 29, 2009 Gilbert Oshinsky LLP

By: /s/ August J. Matteis, Jr.
August J. Matteis, Jr.
Attorneys for Plaintiffs

25 DATED: January 29, 2009 Skadden, Arps, Slate, Meagher & Flom LLP

By: /s/ Raoul D. Kennedy
Raoul D. Kennedy
Attorneys for Defendants
Conseco, Inc. and Conseco Life Insurance Comp.

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3 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

4 I, Raoul D. Kennedy, am the ECF User whose ID and password are being used to
5 file this Stipulation Extending Time To Answer, Move, Or Otherwise Respond To The Complaint.
6 In compliance with General Order 45.X.B, I hereby attest that concurrence in the filing of this
7 document has been obtained from each of the other signatories. I declare under penalty of perjury
under the laws of the United States of America that the foregoing is true and correct.

8 Executed this 29th day of January 2009, at San Francisco, California.

9

10 By: /s/ Raoul D. Kennedy

11 Raoul D. Kennedy

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13 IT IS SO ORDERED:

